



# 2009 Civic Election

## CANDIDATES' INFORMATION BOOKLET

**FOR THE OFFICE OF:**  
Mayor (1)  
Councillor (6)

**City of Melfort**  
202 Burrows Avenue West  
Box 2230  
Melfort, SK S0E 1A0  
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Office Hours:  
Monday to Friday  
8:00 a.m. to 4:30 pm



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assist persons interested in becoming a candidate in the 2009  
2009, for the offices of Mayor (1 to be elected) and Councillor (6

In Saskatchewan, municipal and school board elections are governed by *The Local Government Election Act*, particularly those provisions which have a direct impact on the activities of candidates. However, persons reading this material are cautioned that it has no legal sanction and is intended for guidance only. Readers are advised to consult *The Local Government Election Act* for interpretation of the law.

For further information regarding the 2009 municipal election, please contact the Returning Officer, Heather Audette at 752-5911.

## **CITY COUNCIL**

The strength and progress of the City of Melfort has been guided over the past years by men and women who have committed themselves to continued prosperity, improved services and life styles for the people and the City they serve, in the capacity of council or school board members. By filing a nomination form, you indicate a personal commitment to your City and your community. We commend you for your sense of public service.

In accordance with Section 65 of *The Cities Act*, the Council of the City of Melfort has the following duties:

- (a) to represent the public and to consider the well-being and interests of the city;
- (b) to participate in developing and evaluating the policies, services and programs of the city;
- (c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- (d) to ensure that administrative practices and procedures are in place to implement the decisions of council;
- (e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at an public council meeting;
- (f) to maintain the financial integrity of the city;
- (g) to perform any other duty or function imposed on Councillors by this or any other Act or by the council.

### ***COUNCIL OF THE CITY OF MELFORT***

The elected Council of the City of Melfort is the governing body of the municipality and is comprised of the Mayor and six (6) Councillors. City Council is an autonomous legislative and administrative body. In general terms, it is responsible for promoting the peace, order and good government of the City.

The function and authority of City Council is defined in *The Cities Act* (and other such legislation) and includes both duties or mandatory obligations, such as setting the annual budget and mill rate; and discretionary powers, such as control over zoning, licensing, building standards, recreational services, streets and roads, utilities (ie. sewer and water), animal control, fire protection services, disabled transit services and park facilities. The Corporation of the City of Melfort is divided into three major departments; namely, Legislative & Finance, Planning & Development and Works & Utilities.

### ***MAYOR OF THE CITY OF MELFORT***

The Mayor is the chief elected officer of the City, a member of City Council and an ex-officio member of all Committees of City Council. The Mayor is elected for a term of three (3) years. The position is considered

an annual indemnity of \$15,298 paid in quarterly installments, of which one-third is non-taxable. Effective January 1, 2008, the Mayor's indemnity increases by a rate equal to the annual CUPE Union increase.

All Councillors are elected for a term of three (3) years and receive an annual indemnity of \$7,649.00 paid in quarterly installments, of which one-third is non-taxable. Effective January 1, 2008, the Councillor indemnity increases by a rate equal to the annual CUPE Union increase.

Councillors are appointed to the Standing Committees of Council and each member also sits on several other boards and committees that require city representation. The City has three standing Committees (Works & Utilities, Planning & Development and Legislative & Finance), consisting of two Councillors (one as Chairman and one member) and the Mayor as an ex-officio voting member.

Each Councillor will be appointed Deputy-Mayor for two months of the year, to assume the responsibilities of the Mayor in his/her absence and to act as Chairman for the Committee of the Whole.

The per diem rate for Council members attending authorized business of the City that is not part of their regular duties is \$125.00 per day (exceeding 7.5 hours) or \$75.00 per half-day (exceeding 4 hours).

## **QUALIFICATIONS OF CANDIDATES**

### **MUNICIPAL CANDIDATES**

A person is qualified to be nominated as a candidate for the position of Mayor or Councillor if that person:

1. is at least eighteen (18) years of age or older on election day; and
2. is, at the time he or she submits the nomination paper,:
  - a) a Canadian citizen, and
  - b) has resided in the City of Melfort for at least three months, and
  - c) has resided in the Province of Saskatchewan for at least six months.

None of the following persons are eligible to be nominated or elected to hold office as a member of council:

- (a) a judge of a court; or
- (b) an auditor or solicitor of the municipality.

No person is disqualified from being nominated for office as a member of council by reason of having an interest in a contract with the City. Any employee of the City of Melfort, who may be interested in being nominated for the office of Mayor or Councillor, must first obtain a leave of absence in accordance with subsection 80(1) of *The Labour Standards Act*. If an employee on leave of absence is successfully elected, the employee is deemed to have resigned from his or her position on the day before the day on which he or she is declared elected.

Note: Please consult Sections 26 and 26.1 of *The Local Government Election Act* for purposes of interpretation of these requirements.

## **NOMINATION OF CANDIDATES**

### **APPLICATION**

Nomination papers for all offices may be obtained from the City Clerk's Office, City Hall.



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person must file a nomination paper with the Returning Officer or designate, either personally, or by agent during the specified

**REQUIREMENTS**

- The nomination paper must state the name and address of the person being nominated and the office for which they are being nominated.
- For the office of Mayor, the application must be signed by at least **five (5)** electors of the City accompanied by the name and address of each nominator.
- For the position of Councillor, the application must be signed by at least **five (5)** electors of the City, accompanied by the name and address of each nominator.
- The nomination paper is not valid unless the candidate's acceptance statement is signed by the person being nominated and witnessed by two persons.

**RELEVANT PROVISIONS**

- Only one person can be nominated for the election on each nomination paper.
- An elector may sign the nomination papers of more than one person.
- No candidate can nominate himself/herself.
- The onus to file a bona fide nomination paper is on the person being nominated.
- No person can be nominated as both Mayor and Councillor of the City.
- A receipt for nomination will be issued at the time the form is filed at City Hall.

**FILING OF NOMINATION PAPERS**

Nomination papers may be filed with the Returning Officer or her designate at the Clerk's Office, City Hall, 202 Burrows Avenue West at any time during normal office hours (Monday to Friday, 8:00 a.m. to 4:30 p.m.) during the nomination period and on Nomination Day from 8:00 a.m. until **4:00 p.m.**, when nominations close. Please see the Nomination Papers Section for important information on the form and content of Nomination Papers.

**WITHDRAWAL OF NOMINATION**

A person who has been nominated may withdraw his/her nomination within 24 hours of the close of nominations by filing with the Returning Officer a written request to that effect signed by the nominated person and by either two witnesses or the Returning Officer, Associate Returning Officer, or the Nomination Officer.

A request to withdraw a nomination must be filed with the Returning Officer or Associate Returning Officer between 8:00 a.m. to 4:00 p.m. on the day following Nomination Day.

**ADVERTISING**

The following sections of *The Local Government Election Act* apply concerning promotional materials:

- %44 Every printed advertisement, other than those provided for under this Act, having reference to an election or a vote on a bylaw or question shall bear on its face the name and address of the person who has authorized its printing, display and distribution.+
- %51 No candidate, his agent or any other person shall:
  - (a) canvass or solicit in the polling place or within 50 meters of the building where the poll is held; or
  - (b) make any communication to a person intending to vote otherwise than through the deputy returning office.+

ate or post in the polling place or within 50 metres of the  
a specimen ballot marked for a person whose name is on the  
material purporting to explain how to vote, or leave any such  
except as provided by this Act.+

- %53 No person shall directly or indirectly induce a person to display his ballot in a manner that reveals how he has voted.+
- %54 Every person who contravenes section 148, 149, 150, 151, 152 or 153 is guilty of an offence and liable on summary conviction to a fine of not more than \$500, to imprisonment for a term of not more than six months or to both such fine and imprisonment.+
- %57 Every person who causes the printing, display and distribution of printed advertising in a manner which is not in accordance with section 144 is guilty of an offence and liable on summary conviction to a fine or not more than \$500.+

Please note that candidates and agents must also comply with the City Bylaw No. 85-20, providing for the control and regulation of signs containing advertising material and any other bylaws that may be applicable.

## **VOTER QUALIFICATIONS**

### **IN MUNICIPAL ELECTIONS**

A person is qualified to vote in a municipal election for the offices of Mayor and/or Councillor if that person:

1. is at least eighteen (18) years of age or older on election day; and
2. is a Canadian citizen (on election day); and
3. is a Saskatchewan resident and has so resided for at least six (6) months prior to election day; and
4. is a resident of the City of Melfort and has so resided for at least three (3) months prior to election day; **OR** is the owner of assessable land in the City and has been so for at least three (3) months prior to election day.

Note: Please consult Section 23 of *The Local Government Election Act* for purposes of interpretation of these requirements.

### **RULES OF RESIDENCE**

The following is a summary of the rules of residence, as set out in *The Local Government Election Act*:

- Rule #1: The residence of a person is the place at which he or she resides and to which, when he or she is absent from that place, that person has the intention of returning.
- Rule #2: A person who is temporarily absent from their normal place of residence does not lose that place as their residence until such time as he or she has acquired another residence.
- Rule #3: No person has more than one residence in the province and, if he or she has more than one home in the province, he or she shall elect one home as his or her residence.

Note: Please consult Section 3 of *The Local Government Election Act* for purposes of interpretation of these rules.

### **COMMONLY ASKED QUESTIONS ABOUT THE ELIGIBILITY TO VOTE**

Although the general rule is one vote per voter+, one exception to this rule occurs where a person is a qualified elector of a municipality in which he or she resides and is an elector of another Saskatchewan



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the owner of assessable land for at least three months,  
n may vote in both municipalities.

## **AND ELECTION DAY**

### **POLLING FACILITIES**

Accessibility is an important issue and all polling facilities will be wheelchair accessible. Two (2) types of polls will be used during the upcoming election:

#### **Regular Polls:**

This is where most voters will cast their ballots on Election Day. In the City of Melfort, four polling subdivisions have been established, with polling facilities conveniently located for voters within those areas. A map of polling areas and a list of poll locations have been attached for your convenience. **Election Day is Wednesday, October 28, 2009**, and all Regular Polls will be open from 9:00 a.m. to 8:00 p.m.

#### **Advance Poll:**

The advance poll is available for voters who are physically disabled, have been appointed as election officials or anticipate being unable to vote on Election Day. The advance poll will be conducted on the following dates:

**Advance Poll Dates to be determined**

### **FORM OF BALLOTS**

The ballot for all offices will contain the names and occupations of all duly nominated candidates arranged in alphabetical order of their surnames.

*The Local Government Election Act* requires that where a candidate requests, the ballot shall show in brackets:

- (i) a name by which the candidate is commonly known; or
- (ii) in respect of a municipal election, his affiliation with a voters organization or the word *independent*.

***The information printed on the ballots respecting the candidates will be based on the information provided on the candidate's acceptance form. In order to ensure ballots are printed correctly, candidates are requested to properly complete the acceptance form.***

### **CANDIDATES' AGENTS**

The candidate and up to two of his or her agents may be present in each polling place during the hours the poll is open. The candidate or one of his or her agents is allowed to be present in the poll during the count of the vote.

An Appointment of Candidate's Agent form must be completed by candidates for each agent. A sample copy of the form is included with this booklet. Extra copies of the forms are available from the City Clerk's Office in City Hall. The agent must present the appointment form to the Supervisor at the poll, and then make a declaration before the Supervisor. Once the agent makes the required declaration, he or she is permitted to be at the poll in an area designated by the Supervisor or he or she may observe the conduct of the election.

An agent is permitted to observe, but in no way interfere with, the process of the election. An agent may, when the polls are open, object to the entitlement of any person intending to vote, if the agent has reason to believe the person is not entitled to vote. The deputy returning officer in such cases will re-confirm with the voter that the information he or she has sworn on the registration/poll book form is correct.

If the voter indicates that the declaration is correct: (a) the objection raised by the agent will be noted in the poll book along with the name of the agent raising the objection, and (b) the entry will be initialed by the

indicate that he or she made a mistake in completing the registration/poll book form, and s and will forfeit the right to vote.

At the close of the poll, a candidate or his or her agent may only observe the counting of the ballots, but shall not assist or handle the ballots in any way. An agent may object to the rejection or the refusal of the deputy returning officer to reject any ballot found in the ballot box, but it is the deputy returning officer who determines whether or not the ballot is to be counted.

In the case of an objected to ballot, the deputy returning officer shall:

- (a) number the objected to ballot on the reverse side, and
- (b) record the number of the objection in the registration/poll book form,
- (c) indicate that the ballot was the subject of an objection to the rejection of the ballot or to the counting of the ballot+which ever is applicable; and
- (d) shall also note whether the ballot was accepted or rejected.

Candidates and their agents must situate themselves and act in accordance with the deputy returning officer's instructions. They must not visit with voters while polls are open nor touch the ballots during counting.

### **COUNTING OF BALLOTS**

The deputy returning officer shall, in the presence of candidates or their agents, open the ballot boxes, examine each of the ballots and reject any ballot which:

- does not have the initial of the deputy returning officer on the reverse, unless he or she is satisfied that the ballot is one that was delivered by the deputy returning officer to an elector intending to vote and the omission of the initials was inadvertent in which case the deputy returning officer shall initial the ballot and count the ballot as though it were initialed.
- has more votes indicated than the voter is entitled to make (only one mark for mayor, up to six marks for Councillor).
- has anything written or marked on it so as to identify the voter.
- has been torn or defaced or otherwise treated by the voter so as to identify the voter.
- Has no mark at all.

Ballots will not be rejected because the mark is out of or partly out of the proper space provided for marking the mark+or if the ballot is marked with other than an mark+as **long as the mark clearly indicates an intent by the voter to vote for the candidate opposite whose name the mark is placed.**

Once all ballots have been reviewed and the rejected ballots removed, the ballots will be counted and the total number of votes for each candidate shall be placed on the statement of results+form.

### **REQUEST FOR RECOUNT**

Any elector or candidate in the municipality in which the vote was taken, may request a recount after the returning officer has declared the official results of the vote by delivering to the returning officer, within four days of the declaration of the results of the vote, a notice in the prescribed form requesting a recount if the difference between the number of votes cast for any elected member, and the candidate having the next highest number of votes is less than the number of ballots counted but objected to+plus all rejected ballots (except those on which no vote was made).



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## **IMPORTANT ELECTION DATES**

***Nomination day is to be announced***

### **WITHDRAWAL PERIOD**

A person who has been nominated may withdraw his/her nomination within 24 hours of the close of nominations by filing with the Returning Officer a written request to that effect signed by the nominated person and by either two witnesses or the Returning Officer, Associate Returning Officer, or the Nomination Officer. A request to withdraw a nomination must be filed with the Returning Officer or Associate Returning Officer between **8:00 a.m. to 4:00 p.m. on the day following Nomination Day.**

### **ADVANCE POLL**

An advance poll will be available for eligible electors on the following dates:

**Advance Poll Dates to be determined**

### **ELECTION DAY**

Election Day is Wednesday, October 28<sup>th</sup>, 2009. All regular polls will be open from 9:00 a.m. to 8:00 p.m. Electors must vote at the poll that is designated for their home address.

### **ELECTION RESULTS**

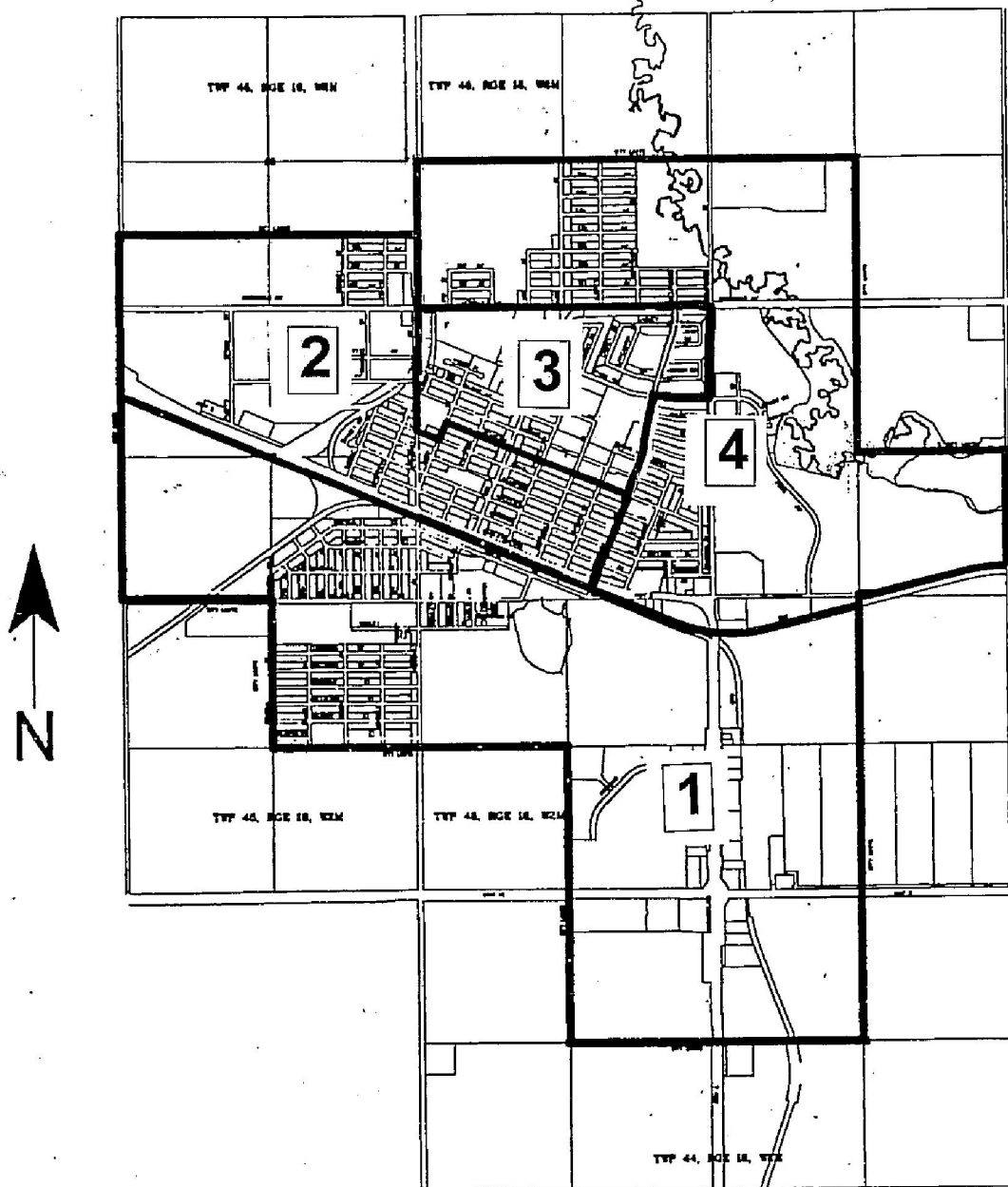
Election results will be officially declared by the Returning Officer at 2:00 p.m., Thursday, October 29<sup>th</sup>, 2009.

# Welfort Election Polls

Polling Area No. 1, 2, 3, 4

North East Leisure Centre

206 Bemister Avenue East





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FORM R

[Subsection 72(1) of the Act]

APPOINTMENT OF CANDIDATE'S AGENT

This is to certify that

\_\_\_\_\_ of  
(name)

\_\_\_\_\_  
(address)

is authorized to attend at Polling Area No. \_\_\_\_\_ located at

\_\_\_\_\_  
(address or place)

on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as my agent.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Candidate